

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

SHERRI L. STITES

Debtor(s).

Case No.: 16-34227 ABA

Chapter: 13

Hearing Date: October 27, 2020

Judge: HONORABLE ANDREW B.
ALTENBURG, JR.




Order Filed on November 5, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Recommended Local Form: ☐ Followed ☒ Modified

ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS

The relief set forth on the following page(s) is hereby **ORDERED**.

DATED: November 5, 2020


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Applicant:	JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
Applicant's Counsel:	Fein, Such, Kahn & Shepard, P.C.
Debtor's Counsel:	ANDREW B. FINBERG, ESQ.
Property Involved (Collateral")	1119 PEDERSON BLVD ATCO, NJ 08004

Relief sought:

- ☒ Motion for relief from the automatic stay
- ☐ Motion to dismiss
- ☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 10 months, from December 25, 2019 to September 25, 2020.
- ☒ The Debtor is overdue for 10 payments at \$284.81 per month.
- ☐ The Debtor is assessed for N/A late charges at N/A per month.
- ☐ Applicant acknowledges receipt of funds in the amount of N/A received after the motion was filed.

Total Arrearages Due \$2,848.10.

2. Debtor must cure all post-petition arrearages, as follows:

- ☒ Immediate payment shall be made in the amount of \$284.81. Payment shall be made no later than October 27, 2020.
- ☒ Beginning on October 25, 2020, regular monthly mortgage payments shall continue to be made in the amount of \$284.81.
- ☒ Beginning on November 1, 2020 through March 1, 2021, additional monthly cure payments shall be made in the amount of \$427.21 and one additional monthly cure payment shall be made in the amount of \$427.24 for April 1, 2021.

☐ The amount of \$N/A shall be capitalized in the Debtor's Chapter 13 plan. The Debtor's monthly payment to the Chapter 13 Trustee is modified to be \$_____ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment: JPMorgan Chase Bank, N.A.
Attn: Bankruptcy Department
3415 Vision Drive
OH4-7133
Columbus, OH 43219

☒ Regular monthly payment: JPMorgan Chase Bank, N.A.
Attn: Bankruptcy Department
3415 Vision Drive
OH4-7133
Columbus, OH 43219

☒ Monthly cure payment: JPMorgan Chase Bank, N.A.
Attn: Bankruptcy Department
3415 Vision Drive
OH4-7133
Columbus, OH 43219

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☐ The Applicant is awarded attorneys fees of \$N/A, and costs of \$N/A.

The fees and costs are payable:

☐ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☒ Attorneys' fees are not awarded.

6. Upon dismissal, discharge, chapter conversion, or relief from stay, the foregoing terms and conditions shall cease to be binding, payments will be due pursuant to the terms of the original loan agreement and Movant may proceed to enforce its remedies under applicable non-bankruptcy law against the Real Property and/or against the Debtors.